

Alex B. Hernandez, III
Federal Defenders of Eastern Washington & Idaho
306 E. Chestnut Ave.
Yakima, WA 98901
(509) 248-8920

Attorney for Defendant
Raymond Zack Guerrero-Garcia

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
(The Honorable Lonny R. Suko)

United States of America,

Plaintiff,

v.

Raymond Zack Guerrero-Garcia,

Defendant.

No. 1:18-CR-2016-LRS

Defendant's Sentencing
Memorandum

Raymond Zack Guerrero-Garcia, through his attorney, Alex B. Hernandez, III, for the Federal Defenders of Eastern Washington and Idaho, submits this sentencing memorandum.

Sentencing Recommendation

The parties agreed to recommend the Court impose a sentence of 10 years imprisonment under the Fed. R. Crim. P. 11(c)(1)(C) plea agreement filed in this matter. A sentence of 10 years imprisonment is

Defendant's Sentencing
Memorandum: 1

1 sufficient, but not greater than necessary to accomplish the goals of
2 sentencing under 18 U.S.C. § 3553(a).

3
4 Mr. Guerrero-Garcia pled guilty to discharge of a firearm during a
5 crime of violence in violation of Title 18, U.S.C. § 924(c)(1)(A)(iii)
6 pursuant to a plea agreement. This is a serious charge.

7
8 At the time of the offense, Mr. Guerrero-Garcia was extremely
9 intoxicated because of the death of his mother. An individual came to his
10 house at that moment, and Mr. Guerrero-Garcia shot him. This
11 individual had damaged Mr. Guerrero-Garcia's car and taken his drugs.
12 Mr. Guerrero-Garcia became angry when he saw this individual. Clearly,
13 Mr. Guerrero-Garcia's actions were unacceptable, but his intoxication
14 and prior interactions with this individual played a significant role in the
15 offense. Considering the nature and circumstances of this offense a
16 sentence of 10 years will meet the goals of sentencing under 18 U.S.C.
17 3553(a).
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21 Mr. Guerrero-Garcia was raised in the in the Yakima Valley.
22 Unfortunately, he did not benefit from a stable living environment. His
23 parents separated when he was only two (2) years old. ECF No. 41 at 21.
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1 As a boy, he struggled in school because of his Attention Deficit
2 Disorder and speech difficulties. Mr. Guerrero-Garcia suffered from a
3 birth defect that affected his speech, and required therapy. He was
4 expelled from school in 8th grade for using marijuana.

6 Not surprisingly, because of the lack of supervision and guidance,
7 Mr. Guerrero-Garcia started using alcohol and drugs at a very early age.
8 He also looked to gangs for support. By the age of 12, Mr. Guerrero-
9 Garcia started using alcohol and marijuana, at 13 he was using
10 methamphetamine. *Id.* at 23. He used other drugs, as well. By the age
11 of 13, Mr. Guerrero-Garcia was part of the criminal justice system. *Id.*
12 at 6. Unfortunately, Mr. Guerrero-Garcia has struggled with his
13 substance abuse issues and lifestyle, which resulted in various
14 convictions over the last few years, and periods of incarceration. Now,
15 Mr. Guerrero-Garcia faces a significant term of imprisonment.

20 Considering Mr. Guerrero-Garcia's history and characteristics, a
21 sentence of 10 years imprisonment is sufficient. Such a sentence will
22 provide him the opportunity to participate in vocational training, as well
23 as meet the other goals of sentencing – deterrence, protection of the
24

1 public, promote respect for the law and provide just punishment.
2 Further, Mr. Guerrero-Garcia must first complete a 10-year state
3 sentence before he commences his federal sentence. This means, Mr.
4 Guerrero-Garcia will be incarcerated for a long time.
5

6 Conclusion
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8 Mr. Guerrero-Garcia requests the Court impose a sentence of 10
9 years. Mr. Guerrero-Garcia also requests the Court recommend
10 placement at FCI Sheridan. Mr. Guerrero-Garcia further requests the
11 Court recommend he participate in substance abuse treatment and
12 vocational training in heating and air conditioning.
13

14 DATED: August 20, 2020.
15

16 Respectfully Submitted,

17 s/Alex B. Hernandez, III
18 Alex B. Hernandez, III, 21807
19 Attorney for Raymond Zack Guerrero-
20 Garcia
21 Federal Defenders of Eastern
22 Washington and Idaho, Attorneys for
23 306 East Chestnut Avenue
24 Yakima, Washington 98901
25 (509) 248-8920
(509) 248-9118 fax
Ben_Hernandez@fd.org

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2 CERTIFICATE OF SERVICE

3 I certify that on August 20, 2020, I electronically filed the foregoing
4 with the Clerk of the Court using the CM/ECF System which will send
5 notification of such filing to: Thomas J. Hanlon, Assistant United States
6 Attorney, and Jennifer M. Dykstra, United States Probation Officer.
7

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10 s/Alex B. Hernandez, III
11 Alex B. Hernandez III, 21807
12 Attorney for Raymond Zack Guerrero-
13 Garcia
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